

HONORABLE MARSHA J. PECHMAN

U.S. JUDGE

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MAR 11 2004 DJ

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

04-CV-00289-DECL

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SKY MORTGAGE, INC., a Washington  
corporation,

Plaintiff,

v.

SKY BANK, INC., a Washington corporation,  
SCOTT RERUCHA, TONY ICASIANO, and  
JEFFERY LOW, individuals,

Defendants.

No. C04 0289P

DECLARATION OF GREG  
SCHMIDT

I, Greg Schmidt, do declare under penalty of perjury that the following is true and accurate to the best of my knowledge:

1. I am an individual resident of the State of Washington, and am competent to attest to the facts in this Declaration.

2. I am a title representative in Bellevue, Washington. I know Scott Rerucha in connection with my business as a title representative. I also know Kevin MacPherson and Jeff Tisdale at Sky Mortgage.

3. I recall having a conversation with Scott Rerucha, in which he told me that he was planning to form a bank called Sky Bank. During this conversation, I informed him that there already was a mortgage company called Sky Mortgage. In response, Scott said

DECLARATION OF GREG SCHMIDT - 1

Case No. C04-0289P  
120024.0001/1085476.1

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1 something about the people at Sky Mortgage coming to work for Sky Bank. He also said he  
2 hadn't finalized the name yet.

3 4. I do not recall the exact date of this conversation, but I recall that it took place  
4 within a month of the time that Scott Rerucha left Bay Bank.

5 DATED this 11<sup>th</sup> day of ~~February~~ <sup>March</sup>, 2004, at Seattle, Washington.

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9 GREG SCHMIDT  
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DECLARATION OF GREG SCHMIDT - 2

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